

Federal Defenders  
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August 12, 2025

**Via ECF**

The Honorable Alvin K. Hellerstein  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Sentencing is adjourned until April 14, 2026  
at 11:00 am.  
/s/Alvin K. Hellerstein, U.S.D.J.  
8/22/2025

**Re. United States v. Jefry Bueno Guzman**  
**25 Cr. 215 (AKH)**

Dear Judge Hellerstein,

I write to respectfully request a six-month adjournment of the October 22, 2025 sentencing in this matter. This is the defense's first request for an adjournment of sentencing. The government does not object to this request.

On May 13, 2025, Jefry Bueno Guzman entered a plea of guilty before Magistrate Judge Figueredo to one count of mail theft, in violation of 18 U.S.C. § 1708, which the Court accepted on May 19, 2025. While this straightforward case might appear amenable to swift sentencing, we respectfully ask the Court to adjourn sentencing to allow Jefry to continue the positive progress he has made while on Pretrial supervision and to take advantage of the Probation Department's recent agreement to generously pay for Jefry to acquire a new copy of his citizenship certificate so that he can participate in additional programming and on-the-books employment.

Jefry is a 25-year-old young man with zero criminal history points. The conduct for which he was charged involved the theft of checks from United States Postal Service mailboxes and their sale online when Jefry was 22 and 23 years old and in the throes of significant opioid dependence. Given the severity of his addiction and other life complications that the defense will elaborate on at sentencing, Jefry was sent to detoxification programming and opioid treatment in the fall of 2024 at the direction of Pretrial Services. This intervention was exactly what Jefry needed. Since November 2024, Jefry has not tested positive for opioid use and has improved his participation in the substance abuse and mental health programming in which Pretrial Services has enrolled him.

Jefry's ability to participate in other programming and secure on-the-books employment, however, has been hampered by his lack of government identification. As corroborated by a police report Jefry filed with the N.Y.P.D. in April 2021, which the government was able to obtain, Jefry's original identification documents—including his U.S. passport, his Social Security card, his New York State identification card, and his birth certificate—were lost or

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stolen from him. Since that time, Jefry has been unable to reacquire identification documents because he has been unable to afford the hefty fee for a replacement certificate of citizenship, which demonstrates that he is a United States citizen. Lacking this document, Jefry has been unable to acquire a state or other identification that permits him to work on the books.

This problem continued during Jefry's time on Pretrial supervision. Despite the assistance of and diligent efforts from employees of Pretrial Services, the Probation Department, and the Federal Defenders of New York over the past year, Jefry has been unable to secure a state or city identification because he does not have original copies of the documentation needed to satisfy the requirements of the Department of Motor Vehicles, the IDNYC program, and other offices.<sup>1</sup> Unable to work on the books or participate in supportive social programming that is limited to citizens and lawful residents, Jefry has been working in off the books employment.

Last week, however, after coordination with Pretrial Services and the undersigned, the Probation Department graciously agreed to cover the \$505 fee to order Jefry a replacement of his original citizenship certificate.<sup>2</sup> Once this replacement certificate arrives at counsel's office (hopefully in the coming weeks), Jefry will be able to get a New York States identification and be eligible for programming and on the books employment for which he is particularly suited.

Specifically, our office intends to connect Jefry with the Osborne Association, through which he can participate in the Community Reentry program. Our office has had several recent clients successfully participate in this four-week program, which involves job training followed by immediate (paid) work and is designed to assist people with criminal cases and substance abuse and/or mental health issues. The program has four phases that participants move through when they are ready to transition, and, therefore, can be individualized to Jefry's needs:

- Phase One is job training. Jefry would be assigned a case worker who would work with him one-on-one to set goals, explore job options, work on his resume, and establish a curriculum.
- Phase Two focuses on getting Jefry immediate (paid) work. Jefry has expressed an interest in getting certain workplace certificates to broaden his employment opportunities, which is an option through this program.
- Phase Three is graduation. When the cohort has successfully completed the job training program and obtained a job the Osborne Association holds a graduation.
- Phase Four is focused on maintaining sustainable employment. Jefry will receive a mentor through the program who will provide continued guidance and support.

Jefry would have enrolled in this programming much earlier but-for his inability to participate because of his lack of identification. Now that Pretrial Services and Probation have collaborated to order Jefry a new citizenship certificate, he will be able to obtain state and city-issued identification, enroll in Osborne Association programming, and secure on-the-books

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<sup>1</sup> Although our office was able to obtain a copy of Jefry's citizenship certificate by way of a Freedom of Information Act request, this copy was not accepted by the DMV when the Probation Department tried to acquire an identification for Jefry.

<sup>2</sup> Previous efforts by Federal Defenders of New York to have this fee waived in light of Jefry's indigency were denied by U.S. Citizenship and Immigration Services.

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employment. The defense is mindful of the importance this Court places on defendants' productive, prosocial activities, particularly lawful employment, in considering sentencing. *See, e.g., United States v. Aviles*, 24 Cr. 409 (AKH) (S.D.N.Y. May 7, 2025).

Accordingly, to permit Jefry additional time to continue his recovery from opioid addiction, to participate in Osborne Association programming, and to secure and maintain on-the-books employment for a meaningful period before sentencing, the defense respectfully requests that the October 22, 2025 sentencing (and the corresponding filings and Presentence Investigation Report) be adjourned for six months to late April 2026. The government and Pretrial Services have no objection to his request.

We thank the Court for its consideration.

Respectfully submitted,

/s/

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cc: AUSA William Kinder  
Pretrial Services Officer Laura Gialanella